

100

UNITED STATES OF AMERICA
IN THE U.S. FEDERAL DISTRICT COURT
LOCATED AT BAYCITY MICHIGAN

THIS IS A CASE REMOVAL ACTION PER TITLE 28 1446 TO REMOVE THE BELOW LISTED CASE FROM THE 46TH CIRCUIT COURT, LOCATED IN CRAWFORD COUNTY , AT GRAYLING MICHIGAN, FOR THE FOLLOWING GOOD CAUSE BEING CLEARLY SHOWN. FIRSTLY, THERE ARE FEDERAL QUESTION OF LAW AND BASIC CONSTITUTIONAL RIGHTS, WHICH HAVE BEEN SEVERELY VIOLATED BY THE CHARGING PLAINTIFF(S) GRAYLING CITY GOVERNMENT, THERE ARE ISSUES OF DIVERSITY OF CITIZENSHIP, AS THE INDIVIDUAL DEFENDANT IS A REGISTERED TRADE MARK WITH THE PATTENT PROTECTIONS NOTED, destry-james; payne APPEARING IN PROPRIA PERSONANA, Apostlle No. 104325-1-3042090-194

AND A OFFICIAL REGISTRY IN BELEZE, AND NO JURISDICTION WAS EVER GIVEN OVER THE PARTY, destry james payne, alleged defendant, THERE IS NO POSSIBILITY TO GET A FAIR AND IMPARTIAL TRIAL IN THIS 46TH CIRCUIT COURT, WHICH I HAVE NO DOUBT OF, I destry james payne CLEARLY KNOW I CAN NOT GET AFAIR AND IMPARTIAL TRIAL ON THE MERITS. I HAVE GIVEN NOTICE OF LIS PENDENS TO THE COURT THAT I WILL SUE YOU FOR YOUR TORT CRIMINAL BEHAVIOR AND VIOLATIONS ESPECIALLY MY PROTECTED PATTENTED REGISTERED TRADE NAME, AND GIVEN NOTICE IN WRITING TO THAT EFFECT. I DESPERATELY NEED THE FEDERAL DISTRICT COURT TO GET MY HONEST DAY IN COURT AND AFAIR TRIAL ONTHE MERITS, AS I WAS FALSE ARRESTED ON MADE UP CHARGES , FALSELY IMPRISONED, AND AM BEING MALACIOUSLY PROSECUTED BY UNSCRUPULOUS PLAINTIFFS, WHO HAVE NO JURISDICTION NOR RIGHT TO PROCEED AGAINST ME IN ANY WAY, AND I AM BEING DELIBERATELY RAILROADED IN VIOLATION OF LAW AND MY BASIC CONSTITUTIONAL RIGHTS, IN VIOLATION ESPECIALLY TITLE 42 U.S. CODE SECTIONS 1983 , 1984, 1985, AND 1986 A 10 YEAR FELONY FOR SURE. ALSO SEE 18 U.S. CODE SECTIONS 241 AND 242. NOW I HAVE TIMELY GIVEN AND ASSERTED MY CONSTITUTIONAL RIGHTS, AND THE COURT TOTALLY IGNORED ALL MY CONSTITUTIONAL RIGHTS, ESPECIALLY AT GETTING A FAIR AND IMPARTIAL TRIAL ON THE MERITS, AND IT NOW RESTS WITH ME TO GET OFF MY TAIL AND MOVE THIS CASE TO THE FEDERAL DISTRICT COURT, OR GIVE UP AND JUST LOOSE ALL MY CONSTITUTIONAL RIGHTS AND I CAN NOT DO THAT YOUR HONOR.

I TYPED THIS TYPE LARGE BECAUSE I NOTICED THAT OFFICERS OF THE COURT HAVE SERIOUS VISION PROBLEMS NOTING THE THICK GLASSES , AND WISHING TO MAKE READING EASIER I TYPED THIS BRIEF WITH LARGE PRINT TO MAKE IT EASIER TO READ IT, THAT I AM NOT SHOUTING IN ANY WAY, BUT MAINLY COURTEOUSLY TRYING TO HELP THE GOOD JUDGE NOT STRAIN THEIR EYES READING THIS PAPERWORK. I VERY GRACIOUSLY THANK THIS

Case: 1:15-cv-13307
Judge: Ludington, Thomas L.
MJ: Morris, Patricia T.
Filed: 09-18-2015 At 09:13 AM
REM Payne v. Steuvac et al (krk)

HONORABLE COURT FOR IT ASSISTANCE AND HELP IN GETTING THIS MATTER BEFORE THE
U.S. FEDERAL DISTRICT COURT WHERE MY CONSTITUTIONAL RIGHTS WILL BE CLEARLY
ENFORCED IN MY FAVOR.SEE BYARS VS. UNITED STATES 273 U.S. 28 AND THANK YOU YOUR
HONOR. MOST RESPECTFULLY SUBMITTED;

DATE destroy-james; payne APPEARING IN PROPRIA PERSONANA

Apostlle No. 104325-1-3042090-194

IN THE46th CIRCUIT JUDICIAL CIRCUIT COURT

IN AND FOR CRAWFORD COUNTY AT GRAYLING MICHIGAN

STATE OF MICHIGAN, CITY OF GRAYLING

Shelly Steuvac FRIEND OF THE COURT , 100 JOHN AND JANE DOES, Et al, PER
BIVENS V. S. SIX UNKBOWN AGENTS,

Plaintiff(s)

File No. 2011-008594-DM

destroy-james; payne

Hon. MONTE J. BURMEISTER , CIRCUIT

Apostlle No. 104325-1-3042090-194

COURT JUDGE

_____ /

Michael J. Kelly

In re Buena Vista Charter Township

Presiding Judge

Michael R. Smolenski
William J. Giovan

) CZ

Judges

rsuant to MCR 7.214(E) and 7.216(A)(7), the Court dispenses with oral argument, RE-
 gnow Circuit Court's order for summary disposition in this cause, and REMANDS to the
 Court for further proceedings consistent with this order. Michigan jurisprudence has
 immunity on behalf of a city, village, township, county or any administrative division
 ility for trespass on private property, whether the trespass be of long or short duration.
va County Road Commissioners, 368 Mich 263, 272-273 (1962). The Fourth Amend-
 a person in plaintiff's position, as proprietor of a business, other than one pervasively
 s trafficking in alcoholic liquors, *Colonnade Catering Corp v United States*, 397 US 72;
 L Ed 2d 60 (1970), or firearms, *United States v Blswell*, 406 US 311; 92 S Ct 1593; 32 L
 to bar governmental agents, including inspectors carrying out police power functions to
 alth and safety, from his property, *Camara v Municipal Court of the City and County of*
 87 US 523; 87 S Ct 1727; 18 L Ed 2d 930 (1967); *See v City of Seattle*, 387 US 541; 87
 Ed 2d 943 (1967), in the absence of either a property issued administrative search war-
 rarrant otherwise issued on probable cause. *Marshall v Barlow's, Inc.*, 436 US 307; 98 S
 id 2d 305 (1978); *Donovan v Dewey*, 452 US 594; 101 S Ct 2534; 69 L Ed 2d 262
 n law and constitutional principles of governmental or sovereign immunity have never
 ment agents to commit trespasses in violation of property rights. *Little v Barreme*, 2
 70; 2 L Ed 243 (1804); *Wise v Withers*, 3 Cranch (7 US) 331; 2 L Ed 457 (1806); *Os-*
United States, 9 Wheat (22 US) 738; 6 L Ed 204 (1824); *Mitchell v Harmony*, 13 How
 L Ed 75 (1852); *Bates v Clark*, 95 US 204; 24 L Ed 471 (1877). Under the Federal Tort
 ury, federal law enforcement officers who generally enjoy absolute immunity from tort li-
 theless be held liable for damages for the tort of trespass. *Black v Sheraton Corp of*
 i App DC 46, 564 F2d 531, 541 (1977). Accordingly, plaintiff's complaint facially pleads
 action for trespass as a constitutional tort. *Smith v Department of Public Health*, 428

his Court retains no further jurisdiction.

A true copy entered and certified by Ella Williams, Chief Clerk, on



TAKE JUDICIAL NOTICE:

FEDERAL JUSTICE HON. ROBERT HOLMES BELL, GRAND RAPIDS FEDERAL COURT, CHIEF JUSTICE, FURTHER ALTERED THIS ORDER EVEN FURTHER TO THE MICHIGAN ATTORNEY GENERAL IN THIS ORDER OF FARCHILD VS BEUNAVISTA TWP. THAT YOU TELL ALL YOUR OFFICERS THEY BETTER NOT COME BEFORE THIS FEDERAL COURT VIOLATING THIS ORDER OR THEY WILL GO DIRECTLY TO JAIL RIGHT NOW. SO MAKE SURE YOU WARN THEM ALL NOT TO TRESPASS PERIOD, WHERE THIS SIGN IS POSTED ON PRIVETE PROPERTY.

CONSTRUCTIVE NOTICE OF PATENT
INFRINGEMENT ON THE INDIVIDUAL Destry
James Payne IN DELIBERATE TORTIOUS
INJURY TOTALLY WITHOUT HIS PERMISSION IS
FORMALLY GIVEN TO ALL PARTIES. YOU ARE
GIVEN CONSTRUCTIVE NOTICE OF LIS
PENDENS FOR THE DELIBERATE
INFRINGEMENT OF MY PROTECTED PATENT
NAME Destry James Payne.

IN THE 46th CIRCUIT JUDICIAL CIRCUIT COURT

IN AND FOR CRAWFORD COUNTY AT GRAYLING MICHIGAN

STATE OF MICHIGAN

Shelly Steuvac FRIEND OF THE COURT , 100 JOHN AND JANE DOES, Et al, PER
BIVENS V. S. SIX UNKBOWN AGENTS,

Plaintiff)s)

File No. 2011-008594-DM

destry-james; payne

Hon. MONTE J. BURMEISTER , CIRCUIT

Apostlle No. 104325-1-3042090-194

COURT JUDGE

_____/

THE ALLEGED DEFENDANT'S MEMORANDUM, OBJECTIONS , LAWFUL
AUTHORITIES , AND JURISDICTIONAL STATEMENTS OF FACTS AND GIVES FORMAL
NOTICE AND DEMAND TO QUASH, STRIKE, DISMISS AND OR SUMMARY
JUDGMENT THE PLAINTIFF'S FRAUDULENT AND SPURIOUS COMPLAINTS FOR
100% FRAUD, INADVERTENCE, NEGLECT OF DUTIES, SWORN OATH OF OFFICE AND
FOR ALL GOOD JUST LAWFUL CAUSE BEING CLEARLY SHOWN AND OFFICIAL
NOTICE AND CAVEAT WARNING NOTICE OF LIS PENDENS, **YOU ARE ABOUT TO BE
SUED IN A MASSIVE MULTI- MILLION DOLLAR DAMAGE LAW SUIT** FOR THE
WANTON, WILLFUL, AND DELIBERATE INJURIES DONE TO **ME destry- james
payne, registered trade mark , Apostlle No. 104325-1-3042090-194,** OR TO MY
FAMILY.

MOST RESPECTFULLY SUBMITTED.

DATE _____

destry-james; payne APPEARING IN PROPRIA PERSONAL

Apostlle No. 104325-1-3042090-194

PLEASE TAKE DUE NOTICE: The Name destroy james;payne Apostille No. 104325-1-3042090-194 is a REGISTERED, PATENT PROTECTED TRADE MARK, AND IT ALSO IS A REGISTERED TRUST OUT OF BELIZE AND THIS HONORABLE COURT HAS NO LAWFUL JURISDICTION OF ANY KIND OVER SAID PROTECTED TRUST TRADEMARK NAME , PERIOD, AND ANY CLAIM OTHERWISE IS A DAMABLE LIE ON THE RECORD OF THIS HONORABLE COURT. THERE IS NO LAWFUL JURISDICTION , A FACT I HAVE STATED ON THE RECORD, AND I LEAVE ALL PARTIES TO THEIR STRICTEST PROOFS OTHERWISE, AND DENY ALL FRAUDULENT CLAIMS OF THESE PLAINTIFF'S OTHERWISE, AND CLAIM 100 % FRAUD ON THESE PLAINTIFF(S) AND PERJURY ON THE RECORD SEE 18 US CODE SECTION #1621-1622 , BY THE PLAINTIFF(S)!! PLEASE TAKE CONSTRUCTIVE NOTICE ON THE RECORD ONCE AGAIN.

Certificate of SERVICE

NOW COMES, destry-james'payne. destry,james; payne, Apostlle No. 104325-1-3042090-194, my christian real name, **REGISTERED PATTENT TRADEMARK,** **THE ALLEGED DEFENDANT(S(AND APPEARING IN PROPRIA PERSONA, I DO DECLARE I HAVE DEPOSITED SAME pleadings IN THE OFFICE OF THE U.S. MAIL, THAT I HAVE THIS DAY AND DATE given SERVICE AND CONSTRUCTIVE NOTICE TO THE OPPOSSING PARTIES LISTED BELOW WITH A TRUE COPY OF THIS MY OBJECTIONS, FACTS, AND COMPLAINTS , MEMORANDUM OF LAW, AND CHALLENGES TO LAWFUL JURISDICTION ALSO IN PERSON AT THE COURT, AND FURTHER GIVE NOTICE AND DEMAND TO QUASH, STRIKE, DISMISS, AND OR SUMMARY JUDGMENT THE PLAINTIFF'S 100 % FRAUDULENT AND SPURIOUS UNLAWFUL COMPLAINTS FOR ALL GOOD JUST LAWFUL CAUSE BEING CLEARLY SHOWN ON THE RECORD. THANK YOU KINDLY**

DATE_____ MOST RESPECTLY SUBMITTED_____

destry-james; payne

Apostlle No. 104325-1-3042090-194

OPPOSSING PARTIES LISTED BELOW:

STATE OF MICHIGAN AND THE46th CIRCUIT JUDICIAL CIRCUIT COURT
IN AND FOR CRAWFORD COUNTY AT GRAYLING MICHIGAN AND THE FRIEND OF
THE COURT

Shelly Steuvac FRIEND OF THE COURT , 100 JOHN AND JANE DOES, Et al, PER
BIVENS V. S. SIX UNKBOWN AGENTS,

STATE OF MICHIGAN

IN THE 46th CIRCUIT JUDICIAL CIRCUIT COURT

IN AND FOR CRAWFORD COUNTY AT GRAYLING MICHIGAN

STATE OF MICHIGAN Shelly Steuvac FRIEND OF THE COURT , 100 JOHN AND JANE
DOES, Et al, PER BIVENS V. S. SIX UNKBOWN AGENTS, 406 U.S.3-1

Plaintiff(s)

File No. 2011-008594-DM

destry-james; payne

Hon. MONTE J. BURMEISTER , CIRCUIT

Apostlle No. 104325-1-3042090-194

COURT JUDGE

Alleged

DEFENDANT) _____/

THE ALLEGED DEFENDANT'S 104325-1-3042090-194, OR TO MY FAMILY.

NOTICE AND DEMAND FOR BASIC RIGHTS TO TRIAL BY JURY PER THE 7TH
AMENDMENT OF THE U.S. CONSTITUTION AND ARTICLE 1 SECTION # 14 STATE OF
MICHIGAN CONSTITUTION OF 1963, WHERE THE RIGHT TO TRIAL BY A JURY OF
ONES PEERS WHERE THE CONTROVERSEY EXCEEDS \$ 20.00 DOLLARS. THE RIGHT
TO TRIAL BY JURY SHALL NOT BE DENIED IS THE SUPREME LAW OF THE LAND,
PLEASE SEE MARBURY VS MADISON, 5 U.S. 137, 1803, AND I HAVE A RIGHT TO A
SERIOUS REMEDY , AND I HAVE NOT BEEN GRANTED A TRIAL BY JURY , FOR I
HAVE BEEN TRIED IN ABSTENTIA WITH NO ACTUAL TRIAL AND NO LAWFUL
JUDGMENT IN FACT BY A LAWFUL JUDGE OF RECORD, AND AGAIN DENIAL OF DUE
PROCESS OF LAW, PLEASE SEE TITLE #5 U.S. CODE SECTION # 706, AND I OBJECT
TO THIS UNLAWFUL CONDITION PROFUSELY AS AN INJUSTICE.

RESPECTFULLY SUBMITTED

DATE _____

TO ME destry- james payne, registered trade mark , Apostlle
No. 104325-1-3042090-194

STATE OF MICHIGAN

IN THE 46th CIRCUIT JUDICIAL CIRCUIT COURT

IN AND FOR CRAWFORD COUNTY AT GRAYLING MICHIGAN

STATE OF MICHIGAN

Shelly Steuvac FRIEND OF THE COURT , 100 JOHN AND JANE DOES, Et al, PER
BIVENS V. S. SIX UNKBOWN AGENTS,

Plaintiff(s)

File No. 2011-008594-DM

destry-james; payne

Hon. MONTE J. BURMEISTER , CIRCUIT

Apostlle No. 104325-1-3042090-194

COURT JUDGE

Alleged DEFENDANT)

_____/

THE ALLEGED DEFENDANT'S MEMORANDUM OBJECTIONS , LAWFUL AUTHORITIES
AND JURISDICTIONAL STATEMENTS OF FACTS AND FORMALLY GIVES NOTICE AND
DEMANDS, TO QUASH, STRIKE, DISMISS AND OR SUMMARY JUDGMENT THE
PLAINTIFF'S 100% FRAUDULENT AND SPURIOUS COMPLAINTS FOR FRAUD,
INADVERTENCE, NEGLECT OF DUTIES, SWORN OATH OF OFFICE AND FOR ALL
GOOD JUST LAWFUL CAUSE BEING CLEARLY SHOWN AND OFFICIAL NOTICE AND
CAVEAT WARNING NOTICE OF LIS PENDENS, **YOU ARE ABOUT TO BE SUED IN A**
MASSIVE MULTI- MILLION DOLLAR DAMAGE LAW SUIT FOR THE WANTON,
WILLFUL, AND DELIBERATE INJURIES DONE TO ME **destry- james payne,**
registered trade mark , Apostlle No. 104325-1-3042090-194, OR TO MY FAMILY.

MOST RESPECTFULLY SUBMITTED.

DATE _____

destry-james; payne APPEARING IN PROPRIA PERSONANA

Apostlle No. 104325-1-3042090-194

STATE OF MICHIGAN

IN THE 46th CIRCUIT JUDICIAL CIRCUIT COURT

IN AND FOR CRAWFORD COUNTY AT GRAYLING MICHIGAN

STATE OF MICHIGAN

Shelly Steuvac FRIEND OF THE COURT , 100 JOHN AND JANE DOES, Et al, PER
BIVENS V. S. SIX UNKBOWN AGENTS,

Plaintiff)s)

File No. 2011-008594-DM

destry-james; payne

Hon. MONTE J. BURMEISTER , CIRCUIT

Apostlle No. 104325-1-3042090-194

COURT JUDGE

Alleged DEFENDANT)

THE ALLEGED DEFENDANT'S MEMORANDUM OBJECTIONS , LAWFUL AUTHORITIES
AND JURISDICTIONAL STATEMENTS OF FACTS AND GIVES NOTICE AND DEMAND,
TO QUASH, STRIKE, DISMISS AND OR SUMMARY JUDGMENT THE PLAINTIFF'S
100% FRAUDULENT AND SPURIOUS COMPLAINTS, FOR 100 % FRAUD,
INADVERTENCE, NEGLECT OF DUTIES, SWORN OATH OF OFFICE AND FOR ALL
GOOD JUST LAWFUL CAUSE BEING CLEARLY SHOWN ON THE RECORD, AND
OFFICIAL NOTICE AND CAVEAT WARNING, NOTICE OF LIS PENDENS TO YOU, YOU
ARE ABOUT TO BE SUED IN A MASSIVE MULTI- MILLION DOLLAR DAMAGE LAW
SUIT FOR THE WANTON, WILLFUL, AND DELIBERATE INJURIES DONE TO ME
destry- james; payne, registered trade mark , Apostlle No. 104325-1-3042090-
194, OR TO MY FAMILY. YOU ARE HEREIN GIVEN CAVEAT FAIR WARNING!! ALSO
CONSTRUCTIVE NOTICE OF INTENT TO LEAN IS ALSO GIVEN TO PROTECT MY
RIGHTS AND INTERESTS IF SERIOUS DESIRE TO FIX AND MAKE ME WHOLE IS NOT
SERIOUSLY DEMONSTRATED IMMEDIATELY TO MY TOTAL SATISFACTION!!! NOTICE
OF INTENT TO LIEN WILL BE DONE ON ALL YOUR PROPERTY, RIGHTS TO
PROPERTY , CHATTLE THINGS IN CHOSSES IN ACTION, ASSETS. INTERESTS AND
ANY.....THING I CAN GET MY AGENTS, ACTORS, ASSIGNS , CONTRACTORS,
CAN GET THEIR LITTLE MITTS ON!!! I WOULD FIX IT BEFORE STUFF HITS THE FAN!!

MOST RESPECTFULLY SUBMITTED.

DATE _____

destry-james; payne APPEARING IN PROPRIA PERSONAL

Apostille No. 104325-1-3042090-194

STATE OF MICHIGAN

IN THE 46th CIRCUIT JUDICIAL CIRCUIT COURT

IN AND FOR CRAWFORD COUNTY AT GRAYLING MICHIGAN

STATE OF MICHIGAN

Shelly Steuvac FRIEND OF THE COURT , 100 JOHN AND JANE DOES, Et al, PER
BIVENS V. S. SIX UNKBOWN AGENTS,

Plaintiff(s)

File No. 2011-008594-DM

destry-james; payne

Hon. MONTE J. BURMEISTER , CIRCUIT

Apostlle No. 104325-1-3042090-194

COURT JUDGE

Alleged DEFENDANT)

THE ALLEGED DEFENDANT'S MEMORANDUM OBJECTIONS , LAWFUL AUTHORITIES
AND GIVES NOTICE AND DEMAND FOR RIGHTS OF DISCOVERY PER BRADY VS.
MARYLAND , 383 U.S. 83, AND U.S. VS. JUNKS SEE 18 U.S. CODE SECTION 3500 "
THE JENKS DATA SEE U.S. VS JENKS, AND REPORTS CONCERNING STATE OF
MICHIGAN HAVE NEVER BEEN PEOVIDED IN VIOLATION SUCH THAT I COULD HAVE
DUE PROCESS OF LAW AND ALL RECORDS APPLYING TO ME destey-james;payne ,
Apostlle No. 104325-1-3042090-194 COULD BE EXAMINED AND ADDRESSED AND
THIS AUTOMATICALLY REQUIRES DISMISSAL OF ALL THE PLAINTIFF(S) 100%
FRAUDULENT AND SPURIOUS COMPLAINTS WITH PREDJUDICE. WHEREFORE I
destey-james;payne Apostlle No. 104325-1-3042090-194, respectfully give notice
and demand to quash, strike, dismiss, summary judgment WITH PREDUDICE FOR
ALL GOOD CAUSE BEING SHOWN. THANK YOU FOR YOUR VALUABLE TIME MOST
RESPECTFULLY SUBMITTED.

destry-james;payne, Apostlle No. 104325-1-3042090-194

STATE OF MICHIGAN

IN THE46th CIRCUIT JUDICIAL CIRCUIT COURT

IN AND FOR CRAWFORD COUNTY AT GRAYLING MICHIGAN

STATE OF MICHIGAN

Shelly Steuvac FRIEND OF THE COURT , 100 JOHN AND JANE DOES, Et al, PER
BIVENS V. S. SIX UNKBOWN AGENTS,

Plaintiff(s)

File No. 2011-008594-DM

destry-james; payne

Hon. MONTE J. BURMEISTER , CIRCUIT

Apostlle No. 104325-1-3042090-194

COURT JUDGE

Alleged DEFENDANT)

_____/

THE ALLEGED DEFENDANT'S MEMORANDUM OBJECTIONS , LAWFUL AUTHORITIES
AND JURISDICTIONAL STATEMENTS OF FACTS AND GIVES OBJECTIONS TO TORTS
DONE BY PAINTIFF(S) TO INJURIES DONE TO ME destry- james payne, registered
trade mark , Apostlle No. 104325-1-3042090-194, OR TO MY FAMILY.AND
FURTHER GIVES , **NOTICE AND DEMAND**, TO QUASH, STRIKE, DISMISS AND OR
SUMMARY JUDGMENT THE PLAINTIFF'S 100 % FRAUDULENT AND SPURIOUS
COMPLAINTS FOR FRAUD, INADVERTENCE, NEGLECT OF DUTIES, SWORN OATH OF
OFFICE, VIOLATIONS OF BASIC CONSTITUTIUNAL RIGHTS, AND FOR ALL GOOD
JUST LAWFUL CAUSE BEING CLEARLY SHOWN AND OFFICIAL NOTICE AND CAVEAT
WARNING **NOTICE OF LIS PENDENS IS FORMALLY GIVEN AND YOU ARE ABOUT
TO BE SUED**, IN A MASSIVE MULTI- MILLION DOLLAR DAMAGE LAW SUIT FOR THE
WANTON, WILLFUL, AND DELIBERATE INJURIES DONE **TO ME destry- james
payne, registered trade mark , Apostlle No. 104325-1-3042090-194, OR TO MY
FAMILY.**

MOST RESPECTFULLY SUBMITTED.

DATE _____

destry-james; payne APPEARING IN PROPRIA PERSONAL

OF LIS PENDENS YOU ARE ABOUT TO BE SUED IN A MASSIVE MULTI- MILLION DOLLAR DAMAGE LAW SUIT FOR THE WANTON, WILLFUL, AND DELIBERATE TORT INJURIES DONE TO ME, BY THE PLAINTIFF(S), , TO destry- james payne, registered trade mark , Apostlle No. 104325-1-3042090-194, OR TO MY FAMILY.

MOST RESPECTFULLY SUBMITTED.

destry- james payne, registered trade mark , Apostlle No. 104325-1-3042090-194
APPEARING IN PROPRIA PERSONA

STATE OF MICHIGAN

IN THE 46th CIRCUIT JUDICIAL CIRCUIT COURT

IN AND FOR CRAWFORD COUNTY AT GRAYLING MICHIGAN

STATE OF MICHIGAN

Shelly Steuvac FRIEND OF THE COURT , 100 JOHN AND JANE DOES, Et al, PER
BIVENS V. S. SIX UNKBOWN AGENTS,

Plaintiff)s)

File No. 2011-008594-DM

destry-james; payne

Hon. MONTE J. BURMEISTER , CIRCUIT

Apostlle No. 104325-1-3042090-194

COURT JUDGE

Alleged DEFENDANT)

THE ALLEGED DEFENDANT'S AFFIDAVIT OF TRUTH/ VERIFICATION AS:

IN STATE OF MICHIGAN

IN THE46th CIRCUIT JUDICIAL CIRCUIT COURT

IN AND FOR CRAWFORD COUNTY AT GRAYLING MICHIGAN

STATE OF MICHIGAN

Shelly Steuvac FRIEND OF THE COURT , 100 JOHN AND JANE DOES, Et al, PER
BIVENS V. S. SIX UNKBOWN AGENTS,

Plaintiff)s)

File No. 2011-008594-DM

destry-james; payne

Hon. MONTE J. BURMEISTER , CIRCUIT

TO ME destry- james payne, registered trade mark , Apostlle No. 104325-1-
3042090-194

Apostlle No. 104325-1-3042090-194

COURT JUDGE

Alleged DEFENDANT)

THE ALLEGED DEFENDANT'S CONSTRUCTIVE NOTICE AND DEMAND FOR LAWFUL RELIEF AND JUSTICE GIVES MEMORANDUM OF OBJECTIONS , LAWFUL AUTHORITIES AND JURISDICTIONAL STATEMENTS OF FACTS AND FORMAL NOTICE AND DEMANDS, TO THE PLAINTIFF(S) TO QUASH, STRIKE, DISMISS AND OR SUMMARY JUDGMENT THE PLAINTIFF'S 100% FRAUDULENT AND SPURIOUS COMPLAINTS FOR FRAUD, INADVERTENCE, NEGLECT OF DUTIES, NEGLECT OF OATH OF OFFICE, AND FOR ALL GOOD JUST LAWFUL CAUSE BEING CLEARLY SHOWN AND OFFICIAL NOTICE AND CAVEAT WARNING NOTICE OF LIS PENDENS YOU ARE ABOUT TO BE SUED IN A MASSIVE MULTI- MILLION DOLLAR DAMAGE LAW SUIT FOR THE WANTON, WILLFUL, AND DELIBERATE INJURIES DONE TO ME **destry- james payne, registered trade mark , Apostille No. 104325-1-3042090-194, OR TO MY FAMILY.**

MOST RESPECTFULLY SUBMITTED.

DATE_____

destry-james; payne APPEARING IN PROPRIA PERSONA
**destry- james payne, registered trade mark , Apostille
No. 104325-1-3042090-194**

MEMORANDUM OBJECTIONS , LAWFUL AUTHORITIES AND JURISDICTIONAL STATEMENTS OF FACTS AND GIVES FORMAL NOTICE AND DEMAND PLAINTIFF(S) TO QUASH, STRIKE, DISMISS AND OR SUMMARY JUDGMENT THE PLAINTIFF'S 100% FRAUDULENT AND SPURIOUS COMPLAINTS FOR FRAUD, INADVERTENCE,

NEGLECT OF DUTIES, NEGLECT OF OATH OF OFFICE, AND FOR ALL GOOD JUST
LAWFUL CAUSE BEING CLEARLY SHOWN AND OFFICIAL NOTICE AND CAVEAT
WARNING NOTICE OF LIS PENDENS, YOU ARE ABOUT TO BE SUED IN A MASSIVE
MULTI- MILLION DOLLAR DAMAGE LAW SUIT FOR THE WANTON, WILLFUL, AND
DELIBERATE INJURIES DONE TO **ME destry- james payne, registered trade mark ,**
Apostlle No. 104325-1-3042090-194, OR TO MY FAMILY.

MOST RESPECTFULLY SUBMITTED.

DATE _____

destry-james; payne APPEARING IN PROPRIA PERSONAL

AFFIDAVIT OF VERIFICATION OF TRUTH

NOW COMES, Destry James Payne and first being duly sworn soes hereby say and depose the following being duly sworn on oath to answer and say , that this pleading is true in fact based upon reasonable inquiry and to the very best of my knowledge and belief and I do formally OBJECT to the use of my pattented registered trade mark and I do make formal complaint to that unlawful use of my trade mark name which was done without my permission and or written authority. FURTHER AFFIANT SAYETH NOT:

DATE _____ MOST RESPECTFULLY SUBMITTED

**destry,james; payne, Apostlle No. 104325-1-3042090-194,
APPEARING IN PROPERSONA**

WITNESS _____

WITNESS _____

NOTARY PUBLIC

MY COMMISSION EXPIRES

Memorandum and LAW IN SUPPORT

PLEASE TAKE SERIOUS NOTE: I READ THE WHOLE THING AS THERE
IS SOME VERY SERIOUS LAW CONTAINED IN THIS PLEADING AND YOU ARE
BOUND BY ALL OF IT ON YOUR OATH OF OFFICE.

NOW COMES, destry-james ;payne Apostlle No. 104325-1-3042090-194

the Alleged Defendant here in before this Honorable Court and formally challenge any and all jurisdiction, PERSONEL AND SUBJECT MATTER AS APPLIED TO destry-james; payne, Apostlle No. 104325-1-3042090-194, OR HIS FANILY, please see title 5 u.s. code sections # 557 and # 706, once challenged the plaintiffs must prove jurisdiction HAGENS VS. LAVINE 415 U.S. 528,AT 533 McNUTT V.S. GENERAL MOTORS ACCEPT CORP, 56 S.CT 502, because I have been totally denied MY BASIC CONSTITUTIONAL RIGHTS OF DUE POROCES OF LAW IN VIOLATION OF TITLE 5 U.A. CODE SECTION # 557 AND # 706, AND ALL JURISDICTION CEASES BY LAW, EVEN HAD YOU IN FACT PROVEN LAWFUL JURISDICTION, YOU LOST IT BY DENIAL OF DUE PROCESS OF LAW VIOLATIONS. ALSO I WAS DELIBERATELY DELUGEDWITH HARASSING MAIL, I.E. WE WILL BURY HIM WITH B.S. PAPERWORK, AT CHRISTMAS TIME FROM SEVERAL SOURCES OR COURTS JUST TO HARASS THE ALLEGED DEFENDANT OR HIS FAMILY WITH REEMS OF PAPERS FROM THREE OR FOUR COURT SYSTEMS TO DELIBERATELY JAM ME OR MY FAMILY ON CHRISTMAS HOLIDAYS, DELIBERTLY JUST FOR MEAN SPITITED HARASSMENT TO GET THIS AFAIR RESOLVED,TO MAKE MONEY OFF THIS ALLEGED DEFENDANT AND GET MATCHING FEDERAL MONIESM WHICH COURT WAS THE ACTUAL COURT FROM CRAWFORD COUNTY 46TH, OR GENESEE COUNTY, 87a DISTRICT IT IS VERY CONFUSING TO FIGURE ALL THIS OUT AND, WHICH COURT IS THE REAL COURT. ALSO I HAVE A REGISTERED PROTECTIVE APOSTILLE, Apostlle No. 104325-1-3042090-194, ON THE USE OF MY GOOD NAME, AND THIS IS A SERIOUS DAMAGE TO MY GOOD NAME, AND I AM GOING TO MAKE A SERIOUS COMPLAINT. NEXT I NEVER GOT TIMELY SERVED AND ALLOWED A TIMELY RESPONSE PER MICHIGAN COURT RULE 2.108 b with 28 day requirement for a timely response, out of county 28 DAYS DUE PROCESS. THIS AGAIN IS DENIAL OF DUE PROCESS AGAIN TITLE 5 U.SCODE

SECTION 706. MY NAME WAS SLANDERED AND LIABLED AND MY X-WIFE REMARRIED TO A NEW HUSBAND IN THE NAVY WITH GOVERNMENT CLASS "G" SPECIAL SUPPORT ALOTMENTS, ACUALLY VOIDING PLAINTIFF'S COMPLAINTS, AND GOT ON A GOVERNMENT CLASS "G" GOVERNMENT WITH THE NAVY AND ALL LIABILITY CEASED TO ME, destry,james; payne, Apostlle No. 104325-1-3042090-194, TO GIVE THIS CLAIMED PAYMENT OR DEBT, BECAUSE HER NEW HUSBAND WAS IN THE NAVY , SOLDIERS AND SAILORS FEDERAL RELIEF ACT. SO NO LIABILITY COMES TO ME, destry,james; payne, Apostlle No. 104325-1-3042090-194, PERIOD. THIS WHOLE COMPLAINT IS 100 % Fraud in fact, IT IS NOT TRUE IN FACT, and I am an innocent party completely, and this is done to me deliberately to harass destry,james; payne, Apostlle No. 104325-1-3042090-194, at CHRISTMASS AND TO SOME HOW DEAL WITH THE US MAILs, AND TIMELY FIGURE ALL THIS 100% FRAUD OUT AND ENTER MY JUST DEFENSES , AND SO I MAKING NOTICE AND DEMAND ASKING THIS HONORABLE COURT TO QUASH, STRIKE , DISMISS, AND OR SUMMARY JUDGMENT ALL THIS 100% FRAUDULENT PLAINTIFF'S SPURIOUS COMPLAINT(S), AS MOST IMMEDIATELY AS IS PRACTICABLE, SUCH THAT JUSTICE MAY BE SERVED, AND MY GOOD NAME AND BASIC CONSTITUTIONAL RIGHTS BE PROTECTED. THANK YOU MOST GRACIOUSLY FOR YOUR VALUABLE TIME AND TROUBLE.

DATE_____

destry-james' payne appearing in propria persona

Apostlle No. 104325-1-3042090-194

Please note: this entire package is ALL DAMN SERIOUS LAW. I COPIED IT ALL JUST AS A COURTESY FOR YOU. SO YOU CAN REACH OUT AND READ IT AS YOU GO WITHOUT THE HASTLE OF ACTUALLY LOOKING IT ALL UP, AS A KINDNESS NOT AS A KNOW IT ALL SMART ASS. ALL I DESIRE IS YOU JUST LEAVE ME AND MY FAMILY ALONE.. I CHOOSE NOT TO PLAY YOUR 100% FRAUD SCAM GAMES FOR MATCHING FEDERAL MONEY GAMES TO COVER YOUR MADE UP CASH FLOW PROBLEMS, AND RECOMEND SERIOUSLY YOU JUST GO AWAY FOREVER AND LEAVE ME THE HELL ALONE. NOW IF THAT IS NOT POSSIBLE TO ACHIEVE HERE , GET READY FOR THE BIGGEST COURT BATTLE/ LAW SUIT ALL THE WAY

TO THE WORLD COURT AT THE HAGUE, HUMAN RIGHTS PROTECTIONS ,
DIVISIONS AND CIVIL RIGHTS COMMITTEES, BECAUSE THAT IS WHERE YOU ARE
HEADED, YOU WILL NOT WIN , AS I WILL LEAN YOU AND ATTACH EVERYTHING
YOU OWN OR CONTROL, QUO WARRANTO YOU AND SUE YOU TO THE MOON
ALICE!! SO GO HIRE A REAL EXCELLENT ATTORNEY, SOMEONE A WHOLE
BUNCH BETTER THAN YOUR PRESENT ATTORNEY, BECAUSE I AM A VERY
EXCELLENT LEGAL BEAGLE, AND I WILL DRIVE YOU RIGHT THRU THE ROOF
PANEL BEFORE I AM DONE WITH YOU. JUST LEAVE ME AND MY FAMILY ALONE
AND GO AWAY WITH THESE 100 % FRAUD SCAMS, WHERE YOU MADE UP THIS
B.S. COMPLAINT OUT OF THIN AIR OF ALLEGED DEBT CLAIM, AND NOW YOU WANT
THE MATCHING FEDERAL MONIES ON SOME MADE UP PRETEXT OF A VALID
ASSUMED DEBT CLAIM BY LAW , PLAINTIFF(S) YOU JUST MADE IT UP IN YOUR
HEAD, OUT OF THIN AIR, BECAUSE YOU ARE BANKRUPT ANYWAY, SEE H.J. R.
#192 ,1933, YOU ARE CIVILY DEAD, GOT IT?????? YOU DO NOT EXIST IN LAW.
NOW GO ASK THE BANKRUPTCY COURT, BECAUSE WAY BACK IN 1933 H.J.R. #
192 YOU WENT BANKRUPT IN FACT, AND NOW HAVE NO STANDING TO DO
ANY.....THING. PLEASE SEE HON. JAMES TRAFICANT REPORT , JUST LOOK IT UP
IN THE RECORDS OF THE 73 rd CONGRESSIONAL RECORDS, I ALREADY HAVE
DONE SO!! OH YOU FOUND THAT BOOK MISSING TOO. I HAVE ONE AND I WILL
SHARE IT.

STATE OF MICHIGAN

IN THE 46th CIRCUIT JUDICIAL CIRCUIT COURT

IN AND FOR CRAWFORD COUNTY AT GRAYLING MICHIGAN

STATE OF MICHIGAN

Shelly Steuvac

FRIEND OF THE COURT

Plaintiff(s)

File No. 2011-008594-DM

destry-james; payne

Hon. MONTE J. BURMEISTER , CIRCUIT

Apostlle No. 104325-1-3042090-194

COURT JUDGE

Alleged DEFENDANT(S)

CONSTRUCTIVE NOTICE OF DEFAULT JUDGMENT TO PLAINTIFF(S)

THE ALLEGED DEFENDANT'S MEMORANDUM OBJECTIONS , LAWFUL AUTHORITIES AND JURISDICTIONAL STATEMENTS OF FACTS AND MOTIONS TO QUASH, STRIKE, DISMISS AND OR SUMMARY JUDGMENT THE PLAINTIFF'S FRAUDULENT AND SPURIOUS COMPLAINTS FOR FRAUD, INADVERTENCE, NEGLECT OF DUTIES, OATH OF OFFICE AND FOR ALL GOOD JUST LAWFUL CAUSE BEING CLEARLY SHOWN. THE PLAINTIFF(S) ARE FACTUALLY IN DEFAULT FOR CONTINUES FAILURE TO ANSWER AND PLEAD TO THIS ALLEGED DEFENDANT(S) PLEADINGS AND BRIEFS FOR GOING PAST THE 28 DAYS PER M.C.R 2.108(b) and going INTO DEFAULT PLEASE SEE M.G.C.E. 2,603 (A THRU D), AND FAILING TO CURE THE REPEATED DEFAULTS M.G.C.R. 2,603(D) AND PLAINTIFF(S) HAVE NO FURTHER RIGHT TO FURTHER BRING THIS 100% FRAUDULENT COMPLAINT FOR DENIAL OF DUE PROCESS OF LAW, SEE TITLE #5 U.S. CODE SECTION #706, AND ALL FURTHER PLAINTYIFF(S) COMPLAINTS ARE FRIVOLOUS AND TOTALLY WITHOUT MERIT IN LAW OR FACT. WHEREFORE I destry,james; payne, Apostlle No. 104325-1-3042090-194, PRAY FOR THE JUST AND LAWFUL RELIEF OF THIS HONORABLE COURT THIS COURT GIVE

NOTICE AND DEMAND TO QUASH STRIKE, DISMISS OR SUMMARY JUDGMENT
PLAINTIFF(S) 100% FRAUDULENT AND SPURIOUS COMPLAINTS SEE MICHIGAN
COURT RULES #2.116 (C) (8) FAILURE TO STATE A VALID CLAIM FOR WHICH RELIEF
CAN BE GRANTED AND THE CLEAN HANDS DOCTRINE FRANKLIN VS FRANKLIN 283
S.W. 486 AND ALL WITH PREJUDICE FOR ALL GOOD JUST CAUSE BEING VERY
CLEARLY SHOWN. I THANK THIS HONORABLE COURT.

MOST RESPECTFULLY SUBMITTED;

DATE _____

**destry,james; payne, Apostlle No. 104325-1-3042090-194,
APPEARING IN PROPERSONA**

ALLEGED DEFENDANT(S) EXHIBITS FOR REFERENCES

ANNEXED FACTS AND MEMORANDUM

RCP MCR 2.603, RULE 2.603 DEFAULT AND DEFAULT JUDGMENT

MCR 2.603

WEST'S MICHIGAN COURT RULES

CHAPTER 2. CIVIL PROCEDURE

SUBCHAPTER 2.600 JUDGMENTS AND ORDERS; POSTJUDGMENT

PROCEEDINGS

RULE 2.603 DEFAULT AND DEFAULT JUDGMENT

(A) Entry; Notice; Effect.

(1) If a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules, and that fact is made to appear by affidavit or otherwise, the clerk must enter the default of that party.

(2) Notice of the entry must be sent to all parties who have appeared and to the defaulted party. If the defaulted party has not appeared, the notice to the defaulted party may be served by personal service, by ordinary first-class mail at his or her last known address or the place of service, or as otherwise directed by the court.

(a) In the district court, the court clerk shall send the notice.

(b) In all other courts, the notice must be sent by the party who sought entry of the default. Proof of service and a copy of the notice must be filed with the court.

(3) Once the default of a party has been entered, that party may not proceed with the action until the default has been set aside by the court in accordance with subrule (D) or MCR 2.612.

(B) Default Judgment.

(1) Notice of Request for Judgment.

(a) A party seeking a default judgment must give notice of the request for judgment to the defaulted party

(i) if the party against whom the judgment is sought has appeared in the action;

(ii) if the request for entry of judgment seeks relief different in kind from, or greater in amount than, that stated in the pleadings; or

(iii) if the pleadings do not state a specific amount demanded.

(b) The notice required by this subrule must be served at least 7 days before entry of the requested judgment.

(c) If the defaulted party has appeared, the notice may be given in the manner provided by MCR 2.107. If the defaulted party has not appeared, the notice may be served by personal service, by ordinary first-class mail at the defaulted party's last known address or the place of service, or as otherwise directed by the court.

(d) If the default is entered for failure to appear for a scheduled trial, notice under this subrule is not required.

(2) Default Judgment Entered by Clerk. On request of the plaintiff supported by an affidavit as to the amount due, the clerk may sign and enter judgment for that amount and costs against the defendant, if

(a) the plaintiff's claim against a defendant is for a sum certain or for a sum that can by computation be made certain,

(b) the default was entered because the defendant failed to appear, and

(c) the defaulted defendant is not an infant or incompetent person.

The clerk may not enter or record a judgment based on a note or other written evidence of indebtedness until the note or writing is filed with the clerk for cancellation, except by special order of the court.

(3) Default Judgment Entered by Court. In all other cases the party entitled to a judgment by default must apply to the court for the judgment.

(a) A judgment by default may not be entered against a minor or an incompetent person unless the person is represented in the action by a conservator, guardian ad litem, or other representative.

(b) If, in order for the court to enter judgment or to carry it into effect, it is necessary to

(i) take an account,

(ii) determine the amount of damages,

(iii) establish the truth of an allegation by evidence, or

(iv) investigate any other matter,

the court may conduct hearings or order references it deems necessary and proper, and shall accord a right of trial by jury to the parties to the extent required by the constitution.

(4) Notice of Entry of Judgment. The court clerk must promptly mail notice of entry of a default judgment to all parties. The notice to the defendant shall be mailed to the defendant's last known address or the address of the place of service. The clerk must keep a record that notice was given.

(C) Nonmilitary Affidavit. Nonmilitary affidavits required by law must be filed before judgment is entered in actions in which the defendant has failed to appear.

(D) Setting Aside Default.

(1) A motion to set aside a default or a default judgment, except when grounded on lack of jurisdiction over the defendant, shall be granted only if good cause is shown and an affidavit of facts showing a meritorious defense is filed.

(2) Except as provided in MCR 2.612, if personal service was made on the party against whom the default was taken, the default, and default judgment if one has been entered, may only be set aside if the motion is filed

(a) before entry of judgment, or

(b) if judgment has been entered, within 21 days after the default was entered.

(3) In addition, the court may set aside an entry of default and a judgment by default in accordance with MCR 2.612.

(4) An order setting aside the default must be conditioned on the party against whom the default was taken paying the taxable costs incurred by the other party in reliance on the default, except as prescribed in MCR 2.625(D). The order may also impose other conditions the court deems proper, including a reasonable attorney fee.

(E) Application to Parties Other Than Plaintiff. The provisions of this rule apply whether the party entitled to the judgment by default is a plaintiff or a party who pleaded a cross-claim or counterclaim. In all cases a judgment by default is subject to the limitations of MCR 2.601(B).

[Effective March 1, 1985; amended effective January 1, 1995.]

1985 Staff Comment

MCR 2.603 corresponds to GCR 1963, 520 and DCR 520.

Subrule (A)(2) retains the distinction between circuit and district court practice regarding notice of the entry of default. In the district court, the

clerk sends the notice (see DCR 520.1); in all other courts, the party who sought entry of the default does so (see GCR 1963, 520.1). In addition, a defaulted party--even one who has not filed an appearance--is to be given notice of the entry of default. This notice may be mailed to the defaulted defendant's last known address or the place of service.

Similarly, subrule (B)(1) requires the sending of notice to the defaulted party if the request for judgment seeks relief of a different kind or a greater amount than that stated in the pleadings. See MCR 2.601(B).

The provisions of subrules (B)(2) and (3), regarding entry of default judgment by the clerk and by the court, are substantially the same as the provisions of both GCR 1963, 520.2 and DCR 520.2(1) and (2) (although the requirement of notice to a defaulted defendant who has appeared is moved to subrule [B][1]).

Subrule (B)(4) adopts the district court rule (DCR 520.2[3] requiring that the clerk give notice to all parties (including the defendant in default) of the entry of the default judgment.

Subrule (D) changes the time within which a defendant who was actually served must move to set aside a default judgment on grounds other than those provided in MCR 2.612. Under GCR 1963, 520.4 the motion was required to be filed before entry of judgment or within 4 months after entry of the default, whichever was later. Under subrule (D)(2), the motion must be filed before entry of judgment or, if judgment has been entered, within 21 days after entry of the default. If the motion is not filed within this time, the party must

proceed under MCR 2.612.

The form of default found in GCR 1963, 520.7 is omitted.

Staff Comment to 1995 Amendment

The November 1994 amendment of paragraph (D) [effective January 1, 1995] clarified that attorney fees may be included among the taxable costs upon which an order setting aside a default must be conditioned. The Court of Appeals held to the contrary in Webb v. Watts (On Remand), 194 Mich App 529 (1992). The Supreme Court vacated the judgment of the Court of Appeals and dismissed the appeal in Webb for lack of a proper party defendant. 443 Mich 862 (1993).

BANKRUPTCY AND EFFECTS IN LAW

**WHY THE UNITED STATES OF AMERICA IS A BANKRUPT
CORPORATION AND IN FACT AND LAW IS TECHNICALLY A
CIVILLY DEAD ENTITY WITHOUT STANDING IN LAW TO SUE OR
MAKE COMPLAINT AGAINST ANYONE!**

A STONE FACT!! NOW YOU CHECK IT OUT !!!

MAKE REAL SURE NOW!!

PLEASE NOTE FURTHER: ONLY A BANKRUPTCY TRUSTEE OF THE BANKRUPTCY

**COURT IS AUTHORIZED TO SPEAK ON BEHALF OF A
BANKRUPT ENTITY AND THEN THEY MUST ACTUALLY
BE APPOINTED BY THE U.S. BANKRUPTCY COURT TO
ACTUALLY DO THAT REPRESENTATION, OR SPEAK ON
BEHALF OF THE BANKRUPT PARTY!! GOT ME? WELL... NOW!!**

**QUESTION: IF THE UNITED STATES OF AMERICA, THE (50) , FIFTY
STATES IN UNION ARE BANKRUPT Etc. Etc. WHO THE HELLS COURT CAN EVEN LAWFULLY
OPEN UP TO EVEN ISSUE AN ORDER TO APPOINT A BANKRUPTCY TRUSTEE/ COUNSEL, TO
REPRESENT THE BANKRUPT ENTITY UNDER THE BANKRUPTCY? I'd LIKE YOU TO EVEN TRY
AND ANSWER THAT ONE!! PLEASE SEE HOUSE JOINT RESOLUTION 192, ENTERED INTO LAW
JUNE 5th, 1933 by the 73rd Congress 48 STATUTES AT LARGE 1 , and President Roosevelt,
Please see copy attached hereto and made part of this Record! Now who wants to Play this
game again, as I hold (4) Four Aces and both Jokers and " I CALL" WHAT DO YA GOT!?? Will
that be cash or charge? PAY THE BEAR!!**

**YOUR HONOR MAY IT PLEASE THE COURT OUT OF COURTESY, even though you are
technically a " CORUM NON JUDICE" NOT A REAL SITTING LAWFUL JUDGE OF A COURT OF
RECORD, BUT LET US BE COURTEOUS HERE, I MOTION TO DISMISS, STRIKE, OR IN THE
ALTERNATIVE SUMMARY JUDGMENT THE PLAINTIFF(S) FRAUDULENT AND PATTENTLY
SPURIOUS COMPLAINTS FOR OBVIOUS FRAUD AND PURJURY YOUR HONOR, AND
PLAINTIFF'S COUNSEL FAILED TO APPEAR TODAY YOUR HONOR, AND I ALSO MOTION TO
DEFAULT OF THE PLAINTIFF(S) FOR NON-APPEARANCE, AS THE ONLY ATTORNEY THAT CAN
SPEAK FOR THESE PLAINTIFF(S) IS A BANKRUPTCY TRUSTEE AND THE BANKRUPTCY COURT
WOULD HAVE TO ACTUALLY DO THAT APPOINTMENT, MAY IT PLEASE THE COURT, AND NO
SUCH NOTIFICATION HAS BEEN FORTHCOMING YOUR HONOR TO MY KNOWLEDGE, OR THE
COURT RECORD'S DO NOT REFLECT SUCH APPOINTMENTS YOUR HONOR, AND THEREFORE I
MOTION FOR THE DEFAULT FOR**

**NON-APPEARANCE OF PLAINTIFF'S ON THE RECORD JUDGE, AND I'd LIKE TO SUBMIT MY
PROPOSED ORDER FOR ANY AND ALL REAL AND PERSONAL DAMAGES, COSTS, FEES,**

DISBURSEMENTS, AND ALSO I'D LIKE TO SUBMIT FURTHER PUNITIVE DAMAGES (3) THREE XXX TIMES REAL AND PERSONAL DAMAGES IN PUNITIVE DAMAGES FOR THE FRAUD INVOLVED IN THIS CASE, MAY IT PLEASE THE COURT, AND I THANK YOU YOUR HONOR FOR YOUR VERY VALUABLE TIME AND OR TROUBLE HERE!! THANK YOU JUDGE!! EVERYBODY.....WITH ME NOW?

THE JUDGE: Gentlemen, WE HAVE A REAL QUANDRY HERE, OBVIOUSLY!! I'm

GOING TO recommend SERIOUSLY, YOU GENTLEMEN GO OUT IN THE HALLWAY, AND LET COOLER HEADS GET YOUR HEADS TOGETHER, AND I SERIOUSLY recommend YOU REACH SOME SERIOUS CONCURRENCE HERE, BECAUSE IF YOU COME BACK INTO MY COURT ROOM IN THE NEXT HALF HOUR, I AM GOING TO BE DUTY BOUND TO MAKE A VERY SERIOUS DECISION HERE, THAT COULD BE VERY FAR REACHING INDEED!! NOW YOU DO NOT WANT TO GO THERE PLAINTIFF(S), AND I'D SERIOUSLY COUNSEL YOU TO SEE IF WE CAN WORK THIS OUT WITHOUT THE NECESSITY OF THE COURT ISSUING A FINAL ORDER!! GOT ME?!! PLAINTIFF(S), IF WE DON'T HAVE TO SETTLE IT IN COURT, AND WE REACH SOME SERIOUS CONCURRENCE, I DO NOT HAVE TO DROP THE HAMMER HERE!! GOT ME PLAINTIFF(S)? NOW THERE SOME GOOD LADS YOU JUST GO WORK THIS OUT AND I'LL JUST LAY YOUR CASE TO THE BACK OF THE DOCKET AND GIVE YOU SOME HONEST TIME TO WORK THIS OUT AND GOOD LUCK TO YA!!

NOW GO OUT IN THE HALLWAY, THE BAILIFF WILL SHOW YOU TO A QUIET LITTLE ROOM, WHERE YOU GENTLEMEN/ LADIES CAN PUT YOUR THINKING CAPS ON , AND QUIETLY WORK THIS OUT INTELLIGENTLY!! YOU HAVE ONE HALF HOUR AND THEN I WILL RECALL THE CASE!! DO TRY AND LET REASONABLE MINDS PREVAIL HERE!! I'LL RECALL THE CASE AT 10:45 A.M. AND SEND THE BAILIFF TO COME GET YOU!!

YOU HAD BETTER BELIEVE THE FUR WOULD FLY IN THAT BACK ROOM FOR SURE!! ARE YOU WITH ME ON THIS?? THIS IS POWERFUL DATA!! WHEN IT WAS ONE HALF HOUR LATER YOU WANT TO BET ME A SERIOUS SETTLEMENT WOULD BE HAD BY THE ALLEGED DEFENDANT/ DEFENSE TEAM? BET ME!! NOW GO GET THE BUMS!! LET THEM UNDERSTAND THIS IS THE UNITED STATES OF AMERICA, A FREE COUNTRY AND THE PEOPLE ARE VERY SPECIAL AND UNIQUE AND IT WOULD BE A VERY GOOD IDEA FOR THE AGENTS TO FIGURE OUT WE ARE VERY SERIOUS AS A HEART ATTACK ON THIS AND WE WANT OUR PUBLIC SERVANTS TO KNOW WE LOVE THIS GREAT COUNTRY AND WE WANT OUR CONSTITUTIONAL REPUBLICAN FORM OF GOVERNMENT BACK..... NOW.... WITH ALL OUR CONSTITUTIONAL RIGHTS UNDIMINISHED IN ANY WAY AND WE ARE NOT PLAYING AROUND!! LONG LIVE THE

UNITED STATES CONSTITUTION, THAT BEAUTIFUL RED, WHITE, AND BLUE FLAG WITH NO GOLD TRIM ON IT AND GOD BLESS AMERICA AND PROTECT US FROM THE GREAT EVILS OF EVIL MEN, WHO PLUNDER GOD'S CREATION FOR THEIR LUST FOR POWER AND EVIL!! GOD WILL HAVE THOSE EVIL PARTIES IN A SPECIAL PLACE IN INFIMY FOREVER AND EVER!!

NOW WAKE UP AND GO TO CHURCH, AND QUIT SCREWING AROUND WITH AMERICA
PLAINTIFF(S)!!

The Bankruptcy of The United States

United States Congressional Record March 17, 1993 Vol. #33, page H-1303 Speaker-Senator James A. Traficant, Jr. (Ohio) addressing the House: "Mr. Speaker, we are here now in chapter 11. Members of Congress are official trustees presiding over the greatest reorganization of any Bankrupt entity in world history, the U.S. Government. We are setting forth hopefully, a blueprint for our future. There are some who say it is a coroner's report that will lead to our demise."

It is an established fact that the United States Federal Government has been dissolved by the Emergency Banking Act, March 9, 1933, 48 Stat. 1, Public Law 89-719; declared by President Roosevelt, being bankrupt and insolvent.

H.J.R. 192, 73rd Congress m session June 5, 1933 - Joint Resolution To Suspend The Gold Standard and Abrogate The Gold Clause dissolved the Sovereign Authority of the United States and the official capacities of all United States Governmental Offices, Officers, and Departments and is further evidence that the United States Federal Government exists today in name only.

The receivers of the United States Bankruptcy are the International Bankers, via the United Nations, the World Bank and the International Monetary Fund. All United States Offices, Officials, and Departments are now operating within a de facto status in name only under Emergency War Powers. With the Constitutional Republican form of Government now dissolved, the receivers of the Bankruptcy have adopted a new form of government for the United States. This new form of government is known as a Democracy, being an established Socialist/Communist order under a new governor for America. This act was instituted and

established by transferring and/or placing the Office of the Secretary of Treasury to that of the Governor of the International Monetary Fund. Public Law 94-564, page 8, Section H.R. 13955 reads in part: "The U.S. Secretary of Treasury receives no compensation for representing the United States?"

United States Congressional Record May 4, 1992, page H 2891, Senator and Chairman of the House of Representatives Committee on Banking, Finance and Urban Affairs, Senator Henry Gonzalez (Texas) speaking on "NATIONAL AND INTERNATIONAL THIEVERY IN HIGH PLACES" "We are bankrupted. We are insolvent on every level of our national life, whether it is corporate, whether it is just plain you and I out there with the life of debt that we have all piled up, private debt, credit cards and what not or whether it is the government. We are insolvent. How long will it take before that nasty Mega-truth is conveyed?"

United States Congressional Record January 19, 1976, page 240 Marjorie S. Holt (Maryland): "Mr. Speaker, many of us recently received a letter from the World Affairs Council of Philadelphia, inviting members of Congress to participate in a ceremonial signing of "A Declaration of INTER-dependence" on January 30 in Congress Hall, adjacent to Independence Hall in Philadelphia.

A number of Members of Congress have been invited to sign this document, lending their prestige to its theme, but I want the record to show my strong opposition to this declaration. It calls for the surrender of our national sovereignty to international organizations. It declares that our economy should be regulated by international authorities. It proposes that we enter a "New World Order" that would redistribute the wealth created by the American people. It announces to the whole WORLD, that we are a BANKRUPT, INSOLVENT COUNTRY without any SOVEREIGNTY as a NATION!

Mr. Speaker, this is an obscenity that defiles our Declaration of Independence, signed 200 years ago in Philadelphia. We fought a great Revolution for independence and individual liberty, but now it is proposed that we participate in a world socialist order. Are we a proud and free people, or are we a carcass to be picked by the jackals of the world, who want to destroy us? When one cuts through the high-flown rhetoric of this "Declaration of INTER-dependence," one finds key phrases that tell the story. For example, it states that 'The economy of all nations is a seamless web, and that no one nation can any longer effectively maintain its processes of production and monetary systems without recognizing the necessity

for collaborative regulation by international authorities.' How do you like the idea of "international authorities" controlling our production and our monetary system, Mr. Speaker? How could any American dedicated to our national independence and freedom tolerate such an idea? America should never subject her fate to decisions by such an assembly, unless we long for national suicide. Instead, let us have independence and freedom....If we surrender our independence to a "new world order".....,we will be betraying our historic ideals of freedom and self-government.

Freedom and self-government are not outdated. The fathers of our Republic fought a revolution for those ideals, which are as valid today as they ever were. Let us not betray freedom by embracing slave masters; let us not betray self-government with world government; let us celebrate Jefferson and Madison, not Marx and Lenin?

A dollar is a measure of weight defined by the Coinage Act of 1792 and 1900 which is still in force today. A "dollar" specifies a certain quantity, 24.8 grains of gold, or 371.25 grains of silver. In Black's Law Dictionary, sixth Edition, Dollar: "The money unit employed in the United States of the value of one hundred cents, or of any combination of coins totaling 100 cents?" Cent: "A coin of the United States, the least in value of those now minted. It is the hundredth part of a dollar?"

Gold and silver were such a powerful money during the founding of the united states of America, that the founding fathers declared that only gold or silver coins can be "money" in America. Since gold and silver coinage were heavy and inconvenient for a lot of transactions, they were stored in banks and a claim check was issued as a money substitute. People traded their coupons as money, or "currency." Currency is not money, but a money substitute. Redeemable currency must promise to pay a dollar equivalent in gold or silver money. Federal Reserve Notes (FRNs) make no such promises, and are not "money." A Federal Reserve Note is a debt obligation of the federal United States government, not "money?" The federal United States government and the U.S. Congress were not and have never been authorized by the Constitution for the united states of America to issue currency of any kind, but only lawful money, -gold and silver coin.

It is essential that we comprehend the distinction between real money and paper money substitute. One cannot get rich by accumulating money substitutes, one can only get deeper into debt. We the People no longer have any "money." Most Americans have not been paid any "money" for a very long time, perhaps not in their entire life. Now do you comprehend why you feel broke? Now, do you understand why you are "bankrupt," along with the rest of the country?

Federal Reserve Notes (FRNs) are unsigned checks written on a closed account. FRNs are an inflatable paper system designed to create debt through inflation (devaluation of currency). When ever there is an increase of the supply of a money substitute in the economy without a corresponding increase in the gold and silver backing, inflation occurs. Inflation is an invisible form of taxation that irresponsible governments inflict on their citizens. The Federal Reserve Bank who controls the supply and movement of FRNs has everybody fooled. They have access to an unlimited supply of FRNs, paying only for the printing costs of what they need. FRNs are nothing more than promissory notes for U.S. Treasury securities (T-Bills) - a promise to pay the debt to the Federal Reserve Bank.

There is a fundamental difference between "paying" and "discharging" a debt. To pay a debt, you must pay with value or substance (i.e. gold, silver, barter or a commodity). With FRNs, you can only discharge a debt. You cannot pay a debt with a debt currency system. You cannot service a debt with a currency that has no backing in value or substance. No contract in Common law is valid unless it involves an exchange of "good & valuable consideration." Unpayable debt transfers power and control to the sovereign power structure that has no interest in money, law, equity or justice because they have so much wealth already.

Their lust is for power and control. Since the inception of central banking, they have controlled the fates of nations.

The Federal Reserve System is based on the Canon law and the principles of sovereignty protected in the Constitution and the Bill of Rights. In fact, the international bankers used a "Canon Law Trust" as their model, adding stock and naming it a "Joint Stock Trust." The U.S. Congress had passed a law making it illegal for any legal "person" to duplicate a "Joint Stock

Trust" in 1873. The Federal Reserve Act was legislated post-facto (to 1870), although post-facto laws are strictly forbidden by the Constitution. [1:9:3]

The Federal Reserve System is a sovereign power structure separate and distinct from the federal United States government. The Federal Reserve is a maritime lender, and/or maritime insurance underwriter to the federal United States operating exclusively under Admiralty/Maritime law. The lender or underwriter bears the risks, and the Maritime law compelling specific performance in paying the interest, or premiums are the same. Assets of the debtor can also be hypothecated (to pledge something as a security without taking possession of it.) as security by the lender or underwriter. The Federal Reserve Act stipulated that the interest on the debt was to be paid in gold. There was no stipulation in the Federal Reserve Act for ever paying the principle.

Prior to 1913, most Americans owned clear, allodial title to property, free and clear of any liens or mortgages until the Federal Reserve Act (1913) "Hypothecated" all property within the federal United States to the Board of Governors of the Federal Reserve, -in which the Trustees (stockholders) held legal title. The U.S. citizen (tenant, franchisee) was registered as a "beneficiary" of the trust via his/her birth certificate. In 1933, the federal United States hypothecated all of the present and future properties, assets and labor of their "subjects," the 14th Amendment U.S. citizen, to the Federal Reserve System.

In return, the Federal Reserve System agreed to extend the federal United States corporation all the credit "money substitute" it needed. Like any other debtor, the federal United States government had to assign collateral and security to their creditors as a condition of the loan. Since the federal United States didn't have any assets, they assigned the private property of their "economic slaves", the U.S. citizens as collateral against the unpayable federal debt. They also pledged the unincorporated federal territories, national parks forests, birth certificates, and nonprofit organizations, as collateral against the federal debt. All has already been transferred as payment to the international bankers.

Unwittingly, America has returned to its pre-American Revolution, feudal roots whereby all land is held by a sovereign and the common people had no rights to hold allodial title to property. Once again, We the People are the tenants and sharecroppers renting our own property from a

Sovereign in the guise of the Federal Reserve Bank. We the people have exchanged one master for another.

This has been going on for over eighty years without the "informed knowledge" of the American people, without a voice protesting loud enough. Now it's easy to grasp why America is fundamentally bankrupt. Why don't more people own their properties outright? Why are 90% of Americans mortgaged to the hilt and have little or no assets after all debts and liabilities have been paid? Why does it feel like you are working harder and harder and getting less and less?

We are reaping what has been sown, and the results of our harvest is a painful bankruptcy, and a foreclosure on American property, precious liberties, and a way of life. Few of our elected representatives in Washington, D.C. have dared to tell the truth. The federal United States is bankrupt. Our children will inherit this unpayable debt, and the tyranny to enforce paying it.

America has become completely bankrupt in world leadership, financial credit and its reputation for courage, vision and human rights. This is an undeclared economic war, bankruptcy, and economic slavery of the most corrupt order! Wake up America! Take back your Country.

The Federal Reserve: An Astounding Exposure 1934

All of the above was published in the Congressional Record March 17, 1993 Volume #33, Page H-1303 by Senator James Traffiant, Jr. It is hereby being republished in Secret to Reclaim Your Power on the Internet for your information and enlightenment. Since the total national debt is larger than the total supply of money substitutes and the personal income tax is used solely to pay only the interest on the national debt, paying off the principle and interest of the national debt is a legal impossibility. THE LAW DOES NOT PERMIT IMPOSSIBILITIES. It is now possible to declare your personal independence by filing an affidavit with your state Secretary of State specially objecting to the forced use and benefit of receiving Federal Reserve Notes. This affidavit is a comprehensive removal of signature on all government applications that made you a statutory person and restores to you a pure common-law status where your worth is

measured only in gold and silver coin and never in any negotiable instruments such as Federal Reserve Notes.

You can get this affidavit for \$50.00. For more details click on FIGHT PACKAGES - Do 'the law does not permit impossibilities declaration affidavit' and your UCC-1 and become the holder in due course of your name in all capital letters

Secret to Reclaim Your Power as a SOVEREIGN, FREEMAN OR WOMAN TO CLAIM BACK

AMERICA FOR US NOW AND FOR OUR GRAND CHILDREN IN THE FUTURE!! BE A SOMEBODY AND DO SOMETHING TO RECLAIM YOUR PIECE OF LAND OF THE FREE, HOME OF THE BRAVE, LIBERTY, AND JUSTICE FOR ALL!! STAND UP AND BE COUNTED!!

GOD BLESS AMERICA, ALWAYS, AND WE ARE READY, WILLING, AND ABLE!! FREEDOM IS NOT FREE, YOU GOT TO EARN IT EVERY DAY!! LET US GO DO IT!!

PLEASE NOTE: IF A CORPORATION IS BANKRUPT IN LAW IT IS SAID TO BE CIVILLY DEAD AND NOT A REAL PARTY IN INTEREST WHICH HAS RIGHT TO MAKE COMPLAINTS OR SUE ANY.....BODY, GOT THAT, WHICH MEANS YOU CAN'T BE SUED BY THAT CIVILLY DEAD CORPORATION OF PERSON. SEE TYPICAL ARGUMENT BELOW:

ARGUMENT No. 2

Not a proper party with standing and NO OATH OF OFFICE TO ACT AS SAID OFFICER IN AUTHORITY FOR HE IS A DEFACTO OFFICER.

Mr. PUT AGENT'S NAME HERE , ESQUIRE, (P-12345), OTHERWISE KNOWN FROM HERE ON OUT AS PLAINTIFF'S COUNSEL, IS NOT A PARTY IN INTEREST WITH STANDING OR CAPACITY TO SUE OR PROSECUTE A CLAIM , ANY CLAIM, IN THIS CASE AND NEITHER DOES THE PLAINTIFF(S) , WHO USE PUT GOVERNMENT AGENT'S NAME HERE, (P-12345), AS

**A DEFACTO AGENT, ASSIGN, ACTOR, COUNSELOR, CONTRACTOR, OR QUASI EMPLOYEE TO DO
PLAINTIFF'S BIDDING OR TASKS.**

Now your Honor all the above duly considered, and not forgetting all that has been currently filed document wise in this case to date of the transgressions of these Plaintiff(s)/ Counter Defendant(s) the simple fact of the matter is **THE PLAINTIFF(S) OR THEIR DEFACTO AGENT," PLAINTIFF'S COUNSEL , WHO HAS NO TIMELY FILED OATH OF OFFICE ON FILE WITH EITHER THE CLERK OF PUT COUNTY CLERK HERE, COUNTY CIRCUIT COURT OR THE OFFICE OF THE STATE OF MICHIGAN OFFICE OF THE GREAT SEAL IN LANSING, TO ACTUALLY OPERATE AS AN OFFICER OF PLAINTIFF'S, AND SIMPLY PUT DOES NOT HAVE THE AUTHORITY OR THE CAPACITY TO SUE, OR BRING THIS FRIVOLOUS PLAINTIFF'S COMPLAINT, PLAIN AND SIMPLE MATTER OF FACT.**

A party to a Lawsuit must possess the capacity to sue or prosecute their claims. **M.C.R. 2.201 (C), AN INCORPORATED ENTITY acquires the capacity to SUE or prosecute their claims in the STATE OF MICHIGAN through incorporation and /or compliance with the Laws of the State of Michigan, M.C.L.A. 450.1911.** The Plaintiff(s) **MATTER OF FACT DO NOT EXIST AND DID NOT EXIST IN LAW AT THE TIME OF THE ORIGATION OF THIS COMPLAINT AS BEING A BANKRUPT CORPORATION AND CIVILLY DEAD, SEE HOUSE JOINT RESOLUTION 192 JUNE 5th, 1933,** and certainly did not exist at the time of the alleged Plaintiff's Complaint and Plaintiff(s)/APPELLEE(S) do not exist presently as a matter of fact and LAW!! **THEY ARE A CIVILLY DEAD, a BANKRUPT CORPORATION. . PLAINTIFF(S)/ ARE IN FACT LIARS AND PERJURERS ON THE RECORD, AND I AM TRYING TO BE MY NORMAL POLITE, BUT THE TRUTH IS THE TRUTH!! THEY LIED OVER AND OVER AGAIN, and assumed they would NEVER be caught!! PLAINTIFF(S) YOU ARE CAUGHT, A STONE FACT!**

Now your Honor Michigan Courts have consistently held that a dissolved Corporation is essentially a " **DEAD PERSON "**, **the same applies to a BANKRUPT CORPORATION, making any action taken by IT NULL AND VOID OF LAW.** Please see Matter of Dissolution of Esquire Products Intern,, Inc. 145 Michigan Appeals 106, 377 NW 2nd 356 (a 1985 case), citing U.S. TRUCK Co. vs. Pennsylvania Surety Corp., 259 Mich. 422, 243 NW 2nd 311 (a 1932 case).

All these cases assumed that at one time the Corporation was in fact in existence **LAWFULLY,** but some how went into a state of dissolution. **THESE PLAINTIFF(S) ARE IN FACT A BANKRUPT CORPORATION AND CIVILLY DEAD ON THE RECORD OF THE STATE OF MICHIGAN AS SUCH BANKRUPT CORPORATION PLAINTIFF(S) OPERATE AS A FICTION OR DEFACTO CORPORATION. PLEASE SEE HOUSE JOINT RESOLUTION 192, JUNE 5th, 1933., ALSO NOTE**

MR. PUT GOVERNMENT AGENT'S NAME HERE (P-12345) , IS NOT THE TRUSTEE OF THAT STATE OF MICHIGAN BANKRUPTCY, AND WOULD HAVE NO AUTHORITY TO SPEAK FOR THAT BANKRUPT CORPORATION UNDER ANY CIRCUMSTANCES, EVEN IF HE WAS PROPERLY LICENSED AND SWORN HIS TIMELY OATH OF OFFICE, AND FILED HIS SURETY BONDS TIMELY WITH THE PROPER AUTHORITY. HE HAS NO LAWFUL DELEGATION OF AUTHORITY TO SPEAK FOR OR ACT FOR THE BANKRUPT CORPORATION THE STATE OF MICHIGAN. FURTHER THE PLAINTIFF(S) HAVE NO STANDING OR LAWFUL CAPACITY TO SUE THIS Alleged Defendant and any claims to the contrary are 100% FRAUD IN FACT!!

The Plaintiff(s)/ FLAT OUT LIED ON THE SWORN RECORD OF THIS HONORABLE COURT ON SEVERAL OCCASIONS, AND THEIR ATTORNEY PUT GOVERNMENT AGENT'S NAME HERE (P-12345) SWORE ON THE RECORD THAT THE PLAINTIFF(S) LIES WERE TRUE IN FACT. SEE MICHIGAN COURT RULE 2.114 (A), (B), (C), (D), (E), AND (F) and clearly this is an ABUSE OF PROCESS NOT TO MENTION PERJURY AND FRAUD ON THIS HONORABLE COURT, A CAPITOL FELONY, A FACT!! M.C.L.A. 750.422 and 18 U.S. Code Section 1621,1622,1623 et seq. PERJURY DEFINED!

Now the Plaintiff(s) APPELLEE(S) are NOT A REAL PARTY IN INTEREST TO SUE, BECAUSE THEY ARE A BANKRUPT ENTITY, SEE HOUSE JOINT RESOLUTION 192, JUNE 5TH, 1933, and therefore the Plaintiff's/ APPELLEE'S COMPLAINT ACTION IS BARRED AS A MATTER OF FACT AND LAW. Please see Michigan Court Rule, 2.201(B)

ISSUES REAL PARTY IN INTEREST " STANDING"

" (B) Real Party in Interest. An action must be prosecuted in the name of the REAL PARTY IN INTEREST." THERE IS NO REAL PARTY IN INTEREST WITH " THE PLAINTIFF(S), THE STATE OF MICHIGAN, which is FRAUD, a fraud, as they are NOT INCORPORATED LAWFULLY !! THEY ARE CIVILLY DEAD!!

Now Michigan Courts have addressed the " STANDING TO SUE " DOCTRINE in several cases. In Department of Social Services vs. Baayoun 204 Mich. Appeals 170 , 514 NW 2nd 522 (a 1994 case), the Court held that " **STANDING " relates to position or situation of a Party relative to the cause of action and other Parties at the time of Party seeks relief from the Court. Now in Taylor vs. BLUE CROSS AND BLUE SHIELD OF MICHIGAN, 205 Mich. App. 644, 517 NW 2nd 864 (a 1994 case), the Court held that " **STANDING** " is a legal term used to denote the existence of a Party's interest in the outcome of litigation, which will assure sincere and vigorous advocacy. The Court further stated for the Record that to have "**STANDING** " a Party **MUST DEMONSTRATE****

a legally protected interest that is in jeopardy of being adversely affected and must allege a sufficient personal stake in the outcome of the dispute to ensure that the controversy to be adjudicated will be presented in an adversarial setting capable of judicial resolution.

In order to have standing, a party **MUST SHOW** a substantial interest and stake in the outcome of a controversy. Further see; *ROGAN Vs. MORTON*, 167 Mich. App. 483, 423 NW 2nd 237 (a 1988 case), which held, " **STANDING**", AS A REQUISITE TO SUE, ensures that only those who have a substantial interest in the outcome of a LAWSUIT will be allowed to come into Court and Complain. Further see in support *WHITE LAKE IMPROVEMENT ASS'N vs. WHITEHALL*, 22 Mich. App. 262, 177 NW 2nd 473 (a 1970 case)

Now Upon examination of these facts clearly THE PLAINTIFF(S)/ **ARE NOT A PROPER REAL PARTY, WITH STANDING, OR CAPACITY, TO BRING SUIT IN ANY CAPACITY BEFORE THIS HONORABLE COURT FOR THEY DO NOT EXIST IN LAW OR FACT, AND ARE CLEARLY CIVILLY DEAD IN FACT WITH ABSOLUTELY NO CAPACITY TO SUE ANY PARTY IN THIS HONORABLE COURT OR ANY MICHIGAN COURT AS THEY ARE A BANKRUPT ENTITY SINCE 1933 AND IN FACT ARE IN RECEIVERSHIP AND CIVILLY DEAD. SEE *CLEARFIELD BANK AND TRUST vs. UNITED STATES*, 462 F. Supp. 1193 , 318 U.S. 363, SEE THE CLEARFIELD DOCTRINE A STUDY IN JURISDICTIONAL DEFECTS/ DIVERSITY. OBVIOUSLY, PLAINTIFF(S) ARE A DEFACTO ENTITY , NOT A REAL PARTY IN INTEREST AND THEIR AGENT, MR. PUT NAME OF DEFACTO AGENT OF OFFICER HERE , ESQUIRE, (P-12345), is a DEFACTO AGENT, A FICTION OF LAW A MERE NULLITY OR NON-EXISTENT PERSON, AND IN THIS CASE A FRAUD ON THIS HONORABLE COURT, and these Alleged Defendants and ACCOMMODATION PARTIES, AS THE HOLDERS IN DUE COURSE, THE PLAINTIFF(S) HAVE NO STANDING OR CAPACITY TO LAWFULLY BRING PLAINTIFF'S UNFOUNDED, PATENTLY FRIVOLOUS, OR SPURIOUS COMPLAINTS BEFORE THIS HONORABLE COURT AND SUE THESE ALLEGED DEFENDANT(S). TO DO SO IS FRAUD, 100% FRAUD BY PLAINTIFF(S) OR THEIR AGENTS, ASSIGNS, ACTORS, CONTRACTORS, EMPLOYEES, OR COUNSELORS.**

WHAT IS FRAUD?

We will begin with the subject of FRAUD for the specific purpose to provide you with the knowledge and ability to argue this most serious defense, because it will in fact negate most problem Contracts which you will be confronted with. So a very good understanding of this subject will clearly help you in most serious cases wherein you have been confronted with adhesion contracts like a " Drivers License or Social Security Card Identification or I.R S. assessment procedures.

Let us begin with definition of what FRAUD really is.

FRAUD is defined in BLACK'S LAW DICTIONARY 6th Edition on page 660

" An intentional perversion of truth for the purpose of inducing another in reliance upon it to part with some valuable thing belonging to him or to surrender a legal right. A false representation of a matter of fact, whether by words or conduct, by false or misleading allegations, or by concealment of that which should have been disclosed, which deceives and is intended to deceive another so that he shall act upon it to his legal injury. Anything calculated to deceive, whether by a single act or combination, or by the suppression of truth, or by suggestion of what is false, whether it be by direct falsehood or innuendo, by speech of silence, word of mouth, or look, or gesture. Delanty v. First Pennsylvania Bank, N.A., 318 Pa. Super. 90, 464 A. 2nd 1243, 1251. A generic term, embracing all multifarious means which human ingenuity can devise, and which are resorted to by one Individual to get advantage over another by false suggestions or by suppression of truth, and includes all surprise, trick, cunning, dissembling, and **UNFAIR** way by which another is cheated. Johnson v. McDonald, 170 Okl. 117, 39 P.2nd 150 " **BAD FAITH** " and " **FRAUD** " are synonymous, and also synonyms of dishonesty, infidelity, faithlessness, unfairness, ect."

An example defense argument for where FRAUD is at issue:

I wish to point out that this explanation applies fully to my case to date. I further wish to express my serious and sincere **CONSTRUCTIVE OBJECTIONS** to the Arbitrary and Capricious manner in which my case has been handled to date by those who are sworn on **SACRED OATH**

to protect me and my interests from such travesty of Justice. I am the beneficiary of " **THE CONTRACT** " between the Government and it's great **PEOPLE**

as I am one of " **THE PEOPLE** ". Please see BYARS vs. UNITED STATES 273 U.S. 28 and 16th American Juris Prudence 2nd Section 97, which held the Constitution shall be liberally interpreted to include every word, phrase, and syllable, in favor of the Clearly intended and expressly designated " **BENEFICIARY THE CITIZEN** " for the protection of **RIGHTS AND PROPERTY. MY PROPERTY HAS NOT BEEN PROTECTED IT HAS BEEN STOLEN ON A TAKING BY AN UNCONSTITUTIONAL TAKING OF A GOVERNMENT BODY POLITIC, WHO IS CLEARLY OUT OF CONTROL IN EVERY ASPECT.**

All WE ARE trying to do is get a fair and impartial hearing on the merits of my just complaints. Now WE honestly feel that the PLAINTIFF(S) and the Michigan Courts have perpetrated a **FRAUD IN FACT AND LAW** upon me and my lawfully owned property to my great injury and then knowingly continue the **FRAUD** when WE seek redress in the **MICHIGAN COURTS** for this injury, because WE dare to seek Justice and the protection of OUR Constitutional Rights against this **FRAUDULENT OUT OF CONTROL CITY OF THE WHATEVER, THE PLAINTIFF(S)**, who have repetitively sought to injure or **DEFRAUD** these citizen members of the **PEOPLE IN FACT AND LAW** on so many, many occasions that it is Criminal **NEGLECT** of their sworn **DUTY.... RES ipsa loquitur, WITH EXCLUSIVE CONTROL,[Plaintiff(s) could choose to injure or NOT choose to injure me of their own free volition thereby having voluntary exclusive control], and clearly these PROTECTORS knew or should have known and are knowledgeable of exactly what they are doing or they clearly should know and these Plaintiff(s) deliberately do the deed or injury voluntarily, ANY.....WAY, AND TO HELL WITH THE LAW OR OUR CONSTITUTIONAL RIGHTS!!! THIS IS A STONE FACT!!!**

Now WE give OUR **CONSTRUCTIVE NOTICE OF OBJECTIONS** to this arbitrary and capricious deliberate administrative abuse of process and also give OUR **FORMAL NOTICE OF LIS PENDENS** you are about to **BE SUED!! WE INTEND TO SUE FOR OUR INJURIES and name every swinging joker for their unlawful or criminal deeds to injure US. LET ALL PARTIES TAKE JUST NOTICE OF THIS FACT!!**

These so-called **OFFICERS OF THE LAW**, all long schooled in the art and practice of **LAW**, have willfully, maliciously, intentionally, and wantonly have clearly deliberately injured us and induced us to our injury or irreparable harm by a specie of misinformation, disinformation, or a **SPECIE OF SILENCE, wherein they have used all manner of colorable officialdom to make false and FRAUDULENT CLAIMS AND ACTIONS** against us, personally or against our Lawfully owned property, which is a total violation of **LAW** and these Plaintiff(s) damn well knew exactly what was done and by whom!!

Please see U.S. vs. Prudden 424 F2d 1021, and U.S. vs. TWEEL, 550 F2d 297 AT 299-300, WHICH CASE HELD " **silence can only be equated with FRAUD when there is a legal and**

moral duty to speak the TRUTH or when an inquiry left unanswered would be intentionally misleading to the injury of the parties."

FURTHER,.....In Re: Dunahay vs. Struik, 393 P 2d 930, (1964) 96 Arizona 246, which case held,.... " FRAUD may be committed by a failure to speak when the DUTY, (RES ipsa loquitur, with exclusive control), emphasis added mine, of speaking is imposed."

FURTHER,.....In Re: Batty vs. Arizona State Dental Board, 112 { 2d 870, 57 Arizona 239 (1941 case), which held,... " FRAUD may be committed by a failure to speak when the DUTY of speaking is imposed as much as by speaking falsely."

FURTHER,..... In Re: State vs. Coddington, 662 P 2d 115, 113 Arizona 480, Arizona App. (1983 case) which case held,.... " WHEN one conveys a false impression by disclosure of some facts and the concealment of others, such concealment is in effect a false and FRAUDULENT REPRESENTATION that what is disclosed is the whole truth and nothing but the truth." and one can go on and on,...." Suppression of a material fact which a party is bound in good faith to disclose is equivalent to a false or FRAUDULENT REPRESENTATION, thereby inducing me to my great injury, please see Leigh vs. Loyd , 224 P 2d 356, Arizona 84 (1954 case) and further see " WHEN one conveys a false impression by disclosure of some facts and the holding back of other facts FRAUD OR DECEIT may arise from silence where the DUTY TO SPEAK THE TRUTH, as well as prohibition from speaking an UNTRUTH existed under the LAW, ALSO FURTHER SEE Morrison vs. Acton, 198 P 2d 590, 68 Arizona 27 , (1948 case), which also supports Leigh v. Loyd SUPRA.

In short these case go on and on and on so ANY PARTY could be given sufficient NOTICE OR WARNING of activity which would or could be FRAUDULENT and books and books of considerable collections at LAW LIBRARIES speak volumes to this very SUBJECT and clearly the Plaintiff(s) knew or should have known what they were doing to injure me was wrong, FRAUDULENT, AND UNLAWFUL IN FACT. Now when such activities of misinformation or disinformation or a specie of silence, whose clear purpose it to mis-inform, or dis-inform a party in interest of real facts and Lawful Rights then FRAUD HAS CLEARLY BEEN DONE, especially if a party has relied in GOOD FAITH on such reliances to their very great injury then clear UNLAWFUL INSTITUTIONAL BAD FAITH HAS IN FACT OCCURRED AND THE GOVERNMENT ENTITY WHO PARTICIPATE IN SUCH ACTIVITY KNOWINGLY AND WILLFULLY IS IN BREACH OF THEIR ORIGINAL CIVIC PURPOSE THEY WERE IN FACT CREATED TO PROTECT AGAINST AND THIS IS A BREACH OF FAITH SUBJECTING THE OFFENDING PARTY TO

" QUO WARRANTO " OF THE IR INTENDED GOVERNMENTAL ENFRANCHISED POWER OR RIGHTS, which they were originally created under their Corporation CHARTER pursuant to Public Acts 231 of Public Acts, HOME RULE, OR CHARTER, for ALL GOVERNMENT ENTITIES and that is just a fact.

WE CLAIM FRAUD AND WE TIMELY OBJECT TO ALL THE FRAUD IN THIS CASE AND FOR WARN THE PARTIES THAT LEGAL ACTION IS EMINENT AND

WILL BE COMMENCED VERY SHORTLY IF THIS MATTER I IS NOT TIMELY REPAIRED IN TOTAL TO MY COMPLETE SATISFACTION. FAIR WARNING IS GIVEN!

Now you hit them with this kind of argument and they get all panicky and if they got a brain in their heads they settle and fast just to keep the Law Suits from canceling their insurance policies to run their little Megopolis. Remember knowledge is power, and properly used knowledge can and will effect change. Remember we want our Country and it's Constitutional Republican form of Government back and you got to take it back if you truly want to effect changes for the better. Good luck and God Speed! NOW GO GET THE M AND **MAKE THE M CHANGE THEIR UNLAWFUL WAYS!**

QUESTION PLAINTIFF'S? IS IT TRULY YOUR HONEST INTENTION TO DEFRAUD ME OR INJURE ME IN ANY WAY OR INTENT TO CONSPIRE OR DENY ME ANY BASIC GUARANTEED CONSTITUTIONAL RIGHTS HERE? I'D THINK REAL HARD ABOUT THAT IF I WERE YOU!! **IT IS ALL DONE IN 100% FRAUD AND YOU KNOW IT AND SO DO I KNOW IT!!!**

JURISDICTIONAL CHALLENGES TO THIS CASE.

Jurisdiction comes in two basic forms or categories. These is " **IN REM** " JURISDICTION , **IN QUASI REM**, 28 U.S. Code Section 1331 SAVING TO SUITORS CLAUSE, IN REM, IN QUASI REM, which basically means I got possession of you right now in your proper person and if you move I can tell that bailiff to seize you OR KILL YOU, and he will do that so matter of fact I got you babe IN MY JURISDICTION. Next there is " **SUBJECT MATTER JURISDICTION** , WHICH MEANS JURISDICTION OVER THE SUBJECT MATTER AS APPLIED TO YOU. There are many, many challenges here and one needs to really pay attention to what they are doing, because this subject is like fly paper, and once you are stuck, you are probably for all purposes stuck good, so watch it. IT IS BEST TO STAND MOOT FIRST RIGHT AFTER YOU CHALLENGE THE PLAINTIFF'S LAWFUL JURISDICTION USING McNUTT vs. GENERAL MOTORS ACCEPTANCE CORP. 56 S. Ct. 502. A U.S. SUPREME COURT CASE, which basically says JURISDICTION ONCE CHALLENGED MUST BE PROVEN BY THE PLAINTIFF(S)/ CLAIMANTS OF SAID CLAIMED JURISDICTION AND MAY NEVER BE JUST ASSUMED NOT EVEN BY BLACK ROBES OR COLORABLE ACTION OR LAW. ALSO SEE TITLE 5 U.S. CODE SECTION 556 (d) OF THE ADMINISTRATIVE U.S. CODES., which says the proponent of a RULE or ORDER has the

entire burden of all proofs of same. NOW START CHALLENGING THEIR JURISDICTION!!
MAKE THEM PROVE JURISDICTION BOTH IN REM AND SUBJECT MATTER AS APPLIED
TO YOU, NOT A STRAW MAN OR STRAW WOMAN IN FRAUD, AND THEY MUST HAVE
BOTH TO ACTUALLY BRING THEIR COMPLAINT.

JURISDICTIONAL ARGUMENT

ARGUMENT No. 1

The alleged Defendant's ANSWER AND CONSTRUCTIVE NOTICE OF OBJECTIONS TO THE
PLAINTIFF'S/ PETITIONER'S

PROPOSED ORDER :

NOW COMES, PUT NAME HERE eg. , the Alleged
Defendant(s), APPEARING IN PROPRIA PERSONA, on his own
behalf APPEARING ON A SPECIAL APPEARANCE AS IS
DISTINGUISHED FROM A GENERAL APPEARANCE, as a
Courtesy to this Honorable Court and formally CHALLENGES
JURISDICTION OF PLAINTIFF(S)/ PETITIONER(S) to bring this
ACTION AND MAKES JURISDICTIONAL CHALLENGES AND
CLAIMS OF BASIC CONSTITUTIONAL RIGHTS VIOLATIONS
ESPECIALLY FOR DUE PROCESS VIOLATIONS, VIOLATIONS AS
NO HEARING OR TRIAL ON THE MERITS HAS BEEN ACTUALLY
DONE CONCERNING THIS CASE , AND A PROPOSED ORDER IS
CONSIDERABLY PREMATURE AT THIS TIME THEREBY DENYING
THE Alleged Defendant(s) DUE PROCESS OF LAW.

MAJOR OBJECTIONS

First for the Record I formally OBJECT to the Plaintiff(s)/ Petitioner(s) claims of ASSUMED JURISDICTION. I cite McNutt vs. GENERAL MOTORS ACCEPTANCE CORP. 56 S. Ct. 502, which case held Jurisdiction may NEVER be assumed not even by COLORABLE CLAIMS OR STATUS OR BLACK ROBES OR OFFICIALDOM OR APPEARANCES, but must be substantively proven by the PLAINTIFF(S)/ CLAIMANTS of said Jurisdiction. Once challenged by ANY PROPER PARTY the Plaintiff(s)/ Claimants MUST prove their JURISDICTION in a timely manner. Failure to timely prove said claimed Jurisdiction and LACHES INCURRS. Now Title 5 U. S. CODE section 556(d) which states;

NOTE:

(d) Except as otherwise provided by statute, the proponent of a rule or order has the burden of proof. Any oral or documentary evidence may be received, but the agency as a matter of policy shall provide for the exclusion of irrelevant, immaterial, or unduly repetitious evidence. A sanction may not be imposed or rule or order issued except on consideration of the whole record or those parts thereof cited by a party and supported by and in accordance with the reliable, probative, and substantial evidence. The agency may, to the extent consistent with the interests of justice and the policy of the underlying statutes administered by the agency, consider a violation of section 557(d) of this title sufficient grounds for a decision adverse to a party who has knowingly committed such violation or knowingly caused such violation to occur. A party is entitled to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. In rule making or determining claims for money or benefits or applications for initial licenses an agency may, when a party will not be prejudiced thereby, adopt procedures for the submission of all or part of the evidence in written form."

UNITED STATES CODE ANNOTATED

TITLE 5. GOVERNMENT ORGANIZATION AND EMPLOYEES

PART I--THE AGENCIES GENERALLY

CHAPTER 5--ADMINISTRATIVE PROCEDURE

SUBCHAPTER II--ADMINISTRATIVE PROCEDURE

Current through P.L. 104-98, approved 1-16-96

Sec. 557. Initial decisions; conclusiveness; review by agency; submissions by parties; contents of decisions; record